

Message Text

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70

ACTION IO-13

INFO OCT-01 ARA-11 ADP-00 CIAE-00 DODE-00 PM-09 H-02

INR-09 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14

INRE-00 NSCE-00 SSO-00 USIE-00 CCO-00 AF-10 EA-11

EUR-25 NEA-10 INT-08 EB-11 SY-07 AID-20 DOTE-00 COA-02

CG-00 TRSY-11 RSR-01 /193 W
----- 095411

O 200147 Z MAR 73

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 6893

INFO USUN NEW YORK IMMEDIATE 310

C O N F I D E N T I A L PANAMA 1490

FROM USDEL PANAMA

E. O. 11652: GDS

TAGS/ PFOR, UNSC PN

SUBJ: UNSC MTG-- DRAFT RES ON PERMANENT SOVEREIGNTY

REF: A) PANAMA 1464 B) STATE 47762

1. USDEL HAS ANALYZED LATEST REVISED DRAFT RES ON PERMANENT SOVEREIGNTY (REF A) AND REACHED CONCLUSION THAT ALTHOUGH IT MIGHT BE POSSIBLE TO IMPROVE CERTAIN PROVISIONS, IT IS HIGHLY UNLIKELY THAT END RESULT CLD BE SUPPORTED BY USDEL. BECAUSE WE BELIEVE THAT SUBJECT OF MATTER OF THIS RES IMPROPERLY BEFORE SC, WE ARE EXTREMELY RELUCTANT TO ATTEMPT TO INTRODUCE ALTERNATE RES. BRITISH AND FRENCH WILL ABSTAIN ON GROUND ISSUE NOT PROPERLY BEFORE SC; WE BELIEVE OTHER DELS SHARE THESE FEELINGS. CONSEQUENTLY WE PLAN TO DISCUSS MATTER INFORMALLY WITH THOSE DELS, DRAWING ON POINTS RAISED REF B. IF RES ULTIMATELY COMES TO A VOTE, WE SHALL ABSTAIN, AND WE BELIEVE THERE IS A GOOD CHANCE SUFFICIENT OTHERS WILL ALSO DO SO TO PREVENT A RES ON THIS MATTER FROM BEING ADOPTED.

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MORE DETAILED COMMENTS FOLLOW.

2. PREAMBULAR PARA 1. AS DEPT AWARE, USG SUPORTED UNGA RES 1803 BUT STRONGLY OPPOSED RES 3016. RES 3016 CON-DEMNNED " COERCIVE ACTION" IN MUCH MORE SPECIFIC TERMS THAN EARLIER RESES AND MADE DIRECT REFERENCE TO " LEGISLATIVE REGULATIONS". CONSEQUENTLY WE WLD WISH TO AVOID ANY ACTION WHICH IMPLIED SOFTENING OF US OPPOSITION TO THIS RES. WHILE WE WOULD FAVOR, OTHER THINGS BEING EQUAL, THE REAFFIRMATION OF RES 1803, THIS UNLIKELY WITHOUT ACCOMPANYING REFERENCES TO SUBSEQUENT RESES WHICH WE DO NOT FAVOR. CONSEQUENTLY WE SEE NO REASON TO HOPE THIS PARA WILL BE SIGNIFICANTLY IMPROVED.

3. PREAMBULAR PARA 2. SINCE THE USG SUPPORTED UNGA RES 2625 (FRIENDLY RELATIONS DECLARATION), WE WOULD HAVE NOT PROBLEM ACCEPTING ITS LANGUAGE IN THIS SUBSEQUENT RES.

4. PREAMBULAR PARA 3. US ABSTAINED IN VOTE ON UNGA RES 2993, IN PART BECAUSE OF IMPLICATIONS OF PARA 4 THAT RES (DEALING WITH COERCIVE PRESSURES, PERMANENT SOVEREIGNTY AS POSSIBLE THREAT TO PEACE AND SECURITY). WE WLD NOT WISH TO INDICATE ANY CHANGE IN US POSITION ON THIS ISSUE.

5. PREAMBULAR PARA 4. THIS PROVISION IS DIRECTED LARGELY IF NOT EXCLUSIVELY AT THE US; WHILE WE COULD GO ALONG WITH GENERAL CONDEMNATION OF THE USE OF COERCIVE MEASURES, WE WOULD NOT BE WILLING TO ACKNOWLEDGE -- AT LEAST IN THIS CONTEXT -- AS A MATTER OF GREAT CONCERN THE EXISTENCE OF SUCH MEASURES.

6. PREAMBULAR PARA 5. WHILE THIS PROVISION IS LESS SPECIFICALLY DIRECTED AT THE US THAN THE PRECEDING ONE, US DEL BELIEVES WE SHOULD AVOID GOING ON THE RECORD AS (EITHER AS GENERAL RULE OR IN THIS SITUATION) THAT " COERCIVE MEASURES" CAN CREATE SITUATIONS WHICH WOULD ENDANGER THE PEACE AND SECURITY OF THE AREA. IF WE DID SO, IT WOULD FACILITATE ACTION BY ANOTHER COUNTRY TO A) DESCRIBE APPLICATION OF OUR LEGISLATION AS" COERCIVE MEASURE" AND B) USE SUCH COERCION AS A BASIS FOR PLACING MATTER ON THE SC AGENDA AT SOME FUTURE DATE.

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7. OP PARA 1. AS WE HAVE INDICATED EARLIER, WE BELIEVE

THE MULTINATIONAL CORPORATION ISSUE TO BE INAPPROPRIATE FOR SC DISCUSSION AND WOULD OPPOSE ANY ATTEMPT TO DEAL WITH IT -- ESPECIALLY IN SUCH PEJORATIVE TERMS-- IN A RES HERE.

8. OP PARA 2. IF THE REST OF THE RES WERE SUBSTANTIVELY AND PROCEDURALLY ACCEPTABLE, WE BELIEVE WE COULD SEEK MODIFICATION OF THIS PROVISION TO CONFORM MORE CLOSELY TO ART 19 OF THE OAS CHARTER, SO AS TO READ AS FOLLOWS:

" REQUESTS STATES, IN ORDER TO MAINTAIN AND STRENGTHEN PEACE AND SECURITY IN LATIN AMERICA, TO REFRAIN FROM THE USE OF COERCIVE MEASURES OF AN ECONOMIC OR POLITICAL CHARACTER IN ORDER TO FORCE THE SOVEREIGN WILL OF ANOTHER STATE AND OBTAIN FROM IT ADVANTAGES OF ANY KIND."

UNDER THE CIRCUMSTANCES, HOWEVER, WE TEND TO FEEL THAT ANY EFFORTS TO ALTER SPECIFIC LANGUAGE WOULD BE INCONSISTENT WITH OUR OPPOSITION ON PRINCIPLE OF SC CONSIDERATION OF THIS MATTER.

9. UNLESS DEPT ADVISES OTHERWISE, WE WILL ASSUME THERE IS NO OBJECTION TO THIS COURSE OF ACTION. WE EXPECT TO HAVE A BETTER IDEA SHORTLY REGARDING THE POSSIBILITIES OF PANAMA'S OBTAINING 9 AFFIRMATIVE VOTES IN FAVOR OF A RES OF THIS NATURE. EXPLANATION OF VOTE WILL CONCENTRATE ON OUR OPPOSITION IN PRINCIPLE TO SC CONSIDERATION THIS SUBJECT MATTER.
SAYRE

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*** Current Classification *** CONFIDENTIAL

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